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July 9, 2018

VIA ECF

The Honorable Judge Vera M. Scanlon
Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Glester Elvey v. Silver's Crust West Indian Restaurant, et al.,
Case No.: 1:18-cv-00126-FB-VMS

Dear Judge Scanlon:

In response to the Court's Order dated June 25, 2018, for Plaintiff to show cause as to why this action be dismissed, we file this letter and a Default Motion with supporting documents to request Judgement for Defendant's failure to Appear or file an Answer to the Complaint.

In Plaintiff's attached motion are the Affidavits of Service proving Defendants were properly served on January 16, 2018 through the Secretary of State and January 19, 2018 through personal service. Additionally, Plaintiff's cause of action remains within the statute of limitations.

Additionally, there is another action pending before this Court as against Defendants Silver's Crust West Indian Restaurant & Grill, Inc and Conrad McGregor for the same causes of action Plaintiff is claiming in this matter. See Case No.: 18-cv-1804(WFK)(RER). Notably, Defendants also defaulted in that action. Therefore, we respectfully request a default judgment be noted and a hearing on damages scheduled accordingly.

Should the Court have any questions, please do not hesitate to contact the undersigned. Thank you in advance.

Very truly yours,

/s/
Matthew J. Salimbene

MJS/yr